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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/710,913	08/12/2004	Paul McMahan	014682.000011	4912

44870 7590 10/02/2007
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EXAMINER
FEARER, MARK D

ART UNIT	PAPER NUMBER
2143	

MAIL DATE	DELIVERY MODE
10/02/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/710,913	MCMAHAN ET AL.	
	Examiner	Art Unit	
	Mark D. Fearer	2143	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *12 August 2004*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-39* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-39* is/are rejected.

7)☒ Claim(s) *15* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *12 August 2004* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *11/18/04*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Information Disclosure Statement

The information disclosure statement (IDS) submitted on 18 November 2004 has been considered by the examiner.

Claim Objections

Claim 15 is objected to because of the following informalities: In claim 15, 'LADP' is believed to mean LDAP. Appropriate correction is required.

Claim Rejections - 35 USC § 112

Claims 5, 14, 19, 25, 28, and 33-34 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims contain wording that offers choices, i.e., "...no higher than each of the at least two contacts "or" the interrupting conversation having an interrupt priority ranking ...". Appropriate correction is required.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 1, 10, 16, 22, 29-30, and 34 are rejected under 35 U.S.C. 103(a) as being obvious over Muller et al. (US 20050132011 A1) in view of Kessen et al. (US 20060026254 A1).

The applied reference has a common assignee with the instant application. Based upon the earlier effective U.S. filing date of the reference, it constitutes prior art only under 35 U.S.C. 102(e). This rejection under 35 U.S.C. 103(a) might be overcome by: (1) a showing under 37 CFR 1.132 that any invention disclosed but not claimed in the reference was derived from the inventor of this application and is thus not an invention " by another" ; (2) a showing of a date of invention for the claimed subject matter of the application which corresponds to subject matter disclosed but not claimed in the reference, prior to the effective U.S. filing date of the reference under 37 CFR 1.131; or (3) an oath or declaration under 37 CFR 1.130 stating that the application and reference are currently owned by the same party and that the inventor named in the application is the prior inventor under 35 U.S.C. 104, together with a terminal disclaimer in accordance with 37 CFR 1.321(c). This rejection might also be overcome by showing

that the reference is disqualified under 35 U.S.C. 103(c) as prior art in a rejection under 35 U.S.C. 103(a). See MPEP § 706.02(l)(1) and § 706.02(l)(2).

Consider claims 1, 10, 16, 22, 29-30, and 34. Muller at al. discloses a system and method for managing interruptions to a network user wherein two users are communicating in a chat session, and an interrupt request is received with a user defined urgency level (("Referring to FIG. 1, a networked communication environment 10 includes users 14' and 14" (generally 14) communicating with each other over a network 18. Each user 14 accesses a local computer having a display screen and providing a user interface, including a user input device, through which the user 14 interacts with the local computer and other computers on the network 18. The network 18 can be implemented as a local area network (LAN), an intranet, the Internet or other form of network providing near real time communications between users 14. A user 14 can interrupt one or more other users 14 by proposing a chat. Similarly, a user 14 can interrupt other users 14 by attempting to add the other users to an ongoing chat session. Hereafter the term "sender" designates a user 14' that generates the interruption. If no controls are implemented, a user 14" can experience an overwhelming volume of interruptions. Consequently, the user 14" may not be able to respond to all of the interruptions. Moreover, the user 14" may not be able to perform other work related tasks.") paragraph 0018 ("In one embodiment, an urgency value associated with the interruption is received and compared with an interruption threshold value defined by the network user. The interruption is presented to the network user if the urgency value exceeds the threshold value. In another embodiment, a user status request is received

from one of the senders. If at least one of the permanent reception list and the temporary reception list includes an entry associated with the sender of the user status request, a customized status message is generated. If the permanent reception list and the temporary reception list do not include an entry associated with the sender of the user status request, a generic status message is generated.") paragraph 0006 ("Various levels of urgency can be associated with an interruption generated by a sender. For example, urgency values of "normal" and "moderate" can be assigned for chat requests of low priority and moderate importance, respectively. Urgency values defined as "urgent" can be reserved for the most critical chat requests. The urgency value is compared with the current value of an interruption threshold defined by the user. During times of heavy workload or imminent deadlines, the user may set the interruption threshold value to urgent, causing any interruption request with lower urgency values to be deferred to another medium, such as e-mail. In contrast, under less critical working conditions, the user may set the interruption threshold value to moderate, allowing both urgent and moderate interruptions to occur. FIG. 3 summarizes the processing of interruption request for both listed and unlisted senders according to the user's reception lists for three urgency values.") paragraph 0025). However, Muller et al. fails to disclose. Kessen et al. discloses a method of blocking interrupt requests. Kessen et al. discloses a system and method for determining availability of participation in instant messaging wherein a user participating in a chat session can initiate a hold action which will have a 'do not disturb' status associated with that particular dialog window (("Additionally, moving a dialog window to a "hotspot" may create a temporary change in

the user's status as well. This change may be applied to only the participant of the particular dialog window moved to the hotspot. For instance, when a dialog window is in a hotspot area, the user who initiated the "hold" action will have "do-not-disturb" status associated with that particular dialog window, while other incoming messages are not affected. When the dialog window is removed from the "hotspot" area or the user resumes the conversation with the blocked partner, the "hold" indication is cleared.") paragraph 0008).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to incorporate a system and method for determining availability of participation in instant messaging wherein a user participating in a chat session can initiate a hold action which will have a 'do not disturb' status associated with that particular dialog window as taught by Kessen et al. with a system and method for managing interruptions to a network user wherein two users are communicating in a chat session, and an interrupt request is received with a user defined urgency level as taught by Muller et al. for the purpose of managing interrupts in a chat session.

Claims 2-3, 18, 24, and 32 are rejected under 35 U.S.C. 103(a) as being obvious over Muller et al. (US 20050132011 A1) in view of Kessen et al. (US 20060026254 A1) and in further view of Kirkland et al. (US 20050149622 A1).

The applied reference has a common assignee with the instant application. Based upon the earlier effective U.S. filing date of the reference, it constitutes prior art only under 35 U.S.C. 102(e). This rejection under 35 U.S.C. 103(a) might be overcome by: (1) a showing under 37 CFR 1.132 that any invention disclosed but not claimed in

the reference was derived from the inventor of this application and is thus not an invention " by another" ; (2) a showing of a date of invention for the claimed subject matter of the application which corresponds to subject matter disclosed but not claimed in the reference, prior to the effective U.S. filing date of the reference under 37 CFR 1.131; or (3) an oath or declaration under 37 CFR 1.130 stating that the application and reference are currently owned by the same party and that the inventor named in the application is the prior inventor under 35 U.S.C. 104, together with a terminal disclaimer in accordance with 37 CFR 1.321(c). This rejection might also be overcome by showing that the reference is disqualified under 35 U.S.C. 103(c) as prior art in a rejection under 35 U.S.C. 103(a). See MPEP § 706.02(l)(1) and § 706.02(l)(2).

Consider claims 2-3, 18, 24, and 32, and as applied to claims 1, 16, 22, and 30, respectively. Muller et al., as modified by Kessen et al., discloses a method wherein a user must exceed a threshold value to make an interrupt request (("The interruption is presented to the network user if the urgency value exceeds the threshold value.") Muller et al., paragraph 0006). However, Muller et al., as modified by Kessen et al., fails to disclose a method wherein the content of the interrupting session comprises a priority ranking. Kirkland et al. discloses instant messaging priority filtering based on content and hierarchal schemes wherein message content holds a priority level (("Messages related to mowing the lawn are configured to have a priority level below a delivery threshold. In other words, the user may configure the instant messaging client to delay delivery of messages having a priority level below a certain threshold. The client software may be configured to maintain a database of delayed messages. Alternatively, the delayed messages may be appended to their appropriate queues, however, the user must manually view those queues or lower his or her priority threshold.

Additionally, the message may be delivered, but display schemes such as using flashing messages to catch the user's attention may be delayed. Joe may configure these low priority messages to be delivered at a later time when Joe has lowered the delivery threshold. Thus, Joe is able to reorder incoming messages according to content priority, and allow/disallow interrupts along the lines of those priorities.") paragraph 0052).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to incorporate instant messaging priority filtering based on content and hierarchal schemes wherein message content holds a priority level as taught by Kirkland et al. with a method wherein a user must exceed a threshold value to make an interrupt request as taught by Muller et al., as modified by Kessen et al., for the purpose of managing interrupts.

Claims 4, 17, 23 and 31 are rejected under 35 U.S.C. 103(a) as being obvious over Muller et al. (US 20050132011 A1) in view of Kessen et al. (US 20060026254 A1) and in further view of Horvitz et al. (US 20050132014 A1).

The applied reference has a common assignee with the instant application. Based upon the earlier effective U.S. filing date of the reference, it constitutes prior art only under 35 U.S.C. 102(e). This rejection under 35 U.S.C. 103(a) might be overcome by: (1) a showing under 37 CFR 1.132 that any invention disclosed but not claimed in the reference was derived from the inventor of this application and is thus not an invention " by another" ; (2) a showing of a date of invention for the claimed subject matter of the application which corresponds to subject matter disclosed but not claimed in the reference, prior to the effective U.S. filing date of the reference under 37 CFR

1.131; or (3) an oath or declaration under 37 CFR 1.130 stating that the application and reference are currently owned by the same party and that the inventor named in the application is the prior inventor under 35 U.S.C. 104, together with a terminal disclaimer in accordance with 37 CFR 1.321(c). This rejection might also be overcome by showing that the reference is disqualified under 35 U.S.C. 103(c) as prior art in a rejection under 35 U.S.C. 103(a). See MPEP § 706.02(l)(1) and § 706.02(l)(2).

Consider claims 4, 17, 23, and 31, and as applied to claims 1, 16, 22, and 30, respectively. Muller et al., as modified by Kessen et al., discloses a method wherein a user must exceed a threshold value to make an interrupt request (("The interruption is presented to the network user if the urgency value exceeds the threshold value.") Muller et al., paragraph 0006). However, Muller et al., as modified by Kessen et al., fails to disclose a method wherein a user must have at least as high of a priority ranking to perform an interrupt. Horvitz et al. (US 20050132014 A1) discloses statistical models and methods to support the personalization of applications and services via consideration of preference encodings of a community of users wherein communication can get through with an equivalent priority (("One concept with the metaphor depicted in the diagram 500 is that people break through to those that have a priority (low, medium, and high) that is as high or higher than the cost of interruption.") paragraph 0032).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to incorporate statistical models and methods to support the personalization of applications and services via consideration of preference encodings of a community of users wherein communication can get through with an

equivalent priority as taught by Horvitz et al. (US 20050132014 A1) with a method wherein a user must exceed a threshold value to make an interrupt request as taught by Muller et al. for the purpose of managing interrupts.

Claims 5, 19, 25, 28, 33, and 35 are rejected under 35 U.S.C. 103(a) as being obvious over Muller et al. (US 20050132011 A1) in view of Kessen et al. (US 20060026254 A1) in further view of Kirkland et al. (US 20050149622 A1) and in further view of Horvitz et al. (US 20050132014 A1).

The applied reference has a common assignee with the instant application. Based upon the earlier effective U.S. filing date of the reference, it constitutes prior art only under 35 U.S.C. 102(e). This rejection under 35 U.S.C. 103(a) might be overcome by: (1) a showing under 37 CFR 1.132 that any invention disclosed but not claimed in the reference was derived from the inventor of this application and is thus not an invention " by another" ; (2) a showing of a date of invention for the claimed subject matter of the application which corresponds to subject matter disclosed but not claimed in the reference, prior to the effective U.S. filing date of the reference under 37 CFR 1.131; or (3) an oath or declaration under 37 CFR 1.130 stating that the application and reference are currently owned by the same party and that the inventor named in the application is the prior inventor under 35 U.S.C. 104, together with a terminal disclaimer in accordance with 37 CFR 1.321(c). This rejection might also be overcome by showing that the reference is disqualified under 35 U.S.C. 103(c) as prior art in a rejection under 35 U.S.C. 103(a). See MPEP § 706.02(l)(1) and § 706.02(l)(2).

Consider claims 5, 19, 25, 28, 33, and 35, and as applied to claims 1, 16, 22, 30, and 34, respectively. Muller et al., as modified by Kessen et al., discloses a method wherein a user in a chat session can have a "do-not-disturb" status associated with that

particular dialog window (("Additionally, moving a dialog window to a "hotspot" may create a temporary change in the user's status as well. This change may be applied to only the participant of the particular dialog window moved to the hotspot. For instance, when a dialog window is in a hotspot area, the user who initiated the "hold" action will have "do-not-disturb" status associated with that particular dialog window, while other incoming messages are not affected. When the dialog window is removed from the "hotspot" area or the user resumes the conversation with the blocked partner, the "hold" indication is cleared.") Kessen et al., paragraph 0008). However, Muller et al., as modified by Kessen et al., fails to disclose a communication method wherein content has a priority. Kirkland et al. discloses instant messaging priority filtering based on content and hierarchal schemes wherein message content holds a priority level (("Messages related to mowing the lawn are configured to have a priority level below a delivery threshold. In other words, the user may configure the instant messaging client to delay delivery of messages having a priority level below a certain threshold. The client software may be configured to maintain a database of delayed messages. Alternatively, the delayed messages may be appended to their appropriate queues, however, the user must manually view those queues or lower his or her priority threshold. Additionally, the message may be delivered, but display schemes such as using flashing messages to catch the user's attention may be delayed. Joe may configure these low priority messages to be delivered at a later time when Joe has lowered the delivery threshold. Thus, Joe is able to reorder incoming messages according to content priority, and allow/disallow interrupts along the lines of those

priorities.") Kirkland et al., paragraph 0052). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to incorporate instant messaging priority filtering based on content and hierarchal schemes wherein message content holds a priority level as taught by Kirkland et al. with a method wherein a user in a chat session can have a "do-not-disturb" status associated with that particular dialog window as taught by Muller et al., as modified by Kessen et al., for the purpose of managing interrupts. However, Muller et al., as modified by Kessen et al. and Kirkland et al., fails to disclose a messaging system comprising interrupt request priority levels wherein an equal priority will suffice the interrupt. Horvitz et al. (US 20050132014 A1) discloses statistical models and methods to support the personalization of applications and services via consideration of preference encodings of a community of users wherein communication can get through with an equivalent priority ((“One concept with the metaphor depicted in the diagram 500 is that people break through to those that have a priority (low, medium, and high) that is as high or higher than the cost of interruption.") paragraph 0032).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to incorporate statistical models and methods to support the personalization of applications and services via consideration of preference encodings of a community of users wherein communication can get through with an equivalent priority as taught by Horvitz et al. (US 20050132014 A1) with a method wherein a user in a chat session can have a "do-not-disturb" status associated with that particular dialog window and instant messaging priority filtering based on content and

hierarchal schemes wherein message content holds a priority level as taught by Muller et al., as modified by Kessen et al. and Kirkland et al., for the purpose of managing interrupt requests in a chat session.

Claims 6, 20, 26, 36 and 38 are rejected under 35 U.S.C. 103(a) as being obvious over Muller et al. (US 20050132011 A1) in view of Kessen et al. (US 20060026254 A1) and in further view of Brewer et al. (US 5611040 A).

The applied reference has a common assignee with the instant application. Based upon the earlier effective U.S. filing date of the reference, it constitutes prior art only under 35 U.S.C. 102(e). This rejection under 35 U.S.C. 103(a) might be overcome by: (1) a showing under 37 CFR 1.132 that any invention disclosed but not claimed in the reference was derived from the inventor of this application and is thus not an invention " by another" ; (2) a showing of a date of invention for the claimed subject matter of the application which corresponds to subject matter disclosed but not claimed in the reference, prior to the effective U.S. filing date of the reference under 37 CFR 1.131; or (3) an oath or declaration under 37 CFR 1.130 stating that the application and reference are currently owned by the same party and that the inventor named in the application is the prior inventor under 35 U.S.C. 104, together with a terminal disclaimer in accordance with 37 CFR 1.321(c). This rejection might also be overcome by showing that the reference is disqualified under 35 U.S.C. 103(c) as prior art in a rejection under 35 U.S.C. 103(a). See MPEP § 706.02(l)(1) and § 706.02(l)(2).

Consider claims 6, 20, 26, 36and 38, and as applied to claims 1, 16, 22, and 34, respectively. Muller et al., as modified by Kessen et al., discloses a system and method for managing interruptions to a network user wherein two users are communicating in a chat session comprising a messaging dialog window ((“The present invention provides a

method, apparatus, and computer instructions for sending a user's availability information to an instant messaging partner. An automated response message is sent to the instant messaging partner in response to a user moving the user's instant messaging dialog window to a particular area of the user's display. The mechanism of the present invention allows the user to predefine areas of the user's display and to associate these predefined areas, or "hotspots" with user defined messages. If the user receives an instant message, but is not available to respond to the message, the user may move the instant messaging dialog window to a "hotspot" in the display. Depending upon the user-defined message associated with the "hotspot", the instant messaging application generates an automated response regarding the user's availability to respond to the message. The automated message is then sent to the instant messaging partner.") Kessen et al., paragraph 0007). However, Muller et al., as modified by Kessen et al., fails to disclose a communication method comprising presenting a graphical user interface (GUI) representation of the interrupting conversation in a foreground of a display in response to interrupting the instant messaging conversation, and transferring a keyboard focus to a type-in box of the interrupting conversation in response to interrupting the instant messaging conversation. Brewer et al. discloses a system and method for activating double click applications with a single click comprising placing a window in the foreground and taking control of the mouse and keyboard (("Another instance where not having to click is a desirable goal is when, for example, as user desires to "drag and drop" an object into a window which currently is not under "focus". Focus is where a window is essentially placed in the foreground which, in a multitasking

environment, refers to the process (program) that has control of the console and responds to commands issued from the mouse or keyboard.") column 1 lines 56-62).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to incorporate a system and method for activating double click applications with a single click comprising placing a window in the foreground and taking control of the mouse and keyboard as taught by Brewer et al. with a system and method for managing interruptions to a network user wherein two users are communicating in a chat session comprising a messaging dialog window as taught by Muller et al., as modified by Kessen et al., for the purpose of single instance application.

Claim 7 is rejected under 35 U.S.C. 103(a) as being obvious over Muller et al. (US 20050132011 A1) in view of Kessen et al. (US 20060026254 A1) and in further view of Brewer et al. (US 5611040 A).

The applied reference has a common assignee with the instant application. Based upon the earlier effective U.S. filing date of the reference, it constitutes prior art only under 35 U.S.C. 102(e). This rejection under 35 U.S.C. 103(a) might be overcome by: (1) a showing under 37 CFR 1.132 that any invention disclosed but not claimed in the reference was derived from the inventor of this application and is thus not an invention " by another" ; (2) a showing of a date of invention for the claimed subject matter of the application which corresponds to subject matter disclosed but not claimed in the reference, prior to the effective U.S. filing date of the reference under 37 CFR 1.131; or (3) an oath or declaration under 37 CFR 1.130 stating that the application and reference are currently owned by the same party and that the inventor named in the

application is the prior inventor under 35 U.S.C. 104, together with a terminal disclaimer in accordance with 37 CFR 1.321(c). This rejection might also be overcome by showing that the reference is disqualified under 35 U.S.C. 103(c) as prior art in a rejection under 35 U.S.C. 103(a). See MPEP § 706.02(l)(1) and § 706.02(l)(2).

Consider claim 7, and as applied to claim 1 above. Muller et al., as modified by Kessen et al., discloses a system and method for managing interruptions to a network user wherein two users are communicating in a chat session comprising a messaging dialog window. However, Muller et al., as modified by Kessen et al., fails to disclose a communication method comprising presenting a graphical user interface (GUI) representation of the interrupting conversation to the background of a display in response to interrupting the instant messaging conversation. Brewer et al. discloses a system and method for activating double click applications with a single click comprising placing a window in the background (("In the exemplary embodiment of the present invention, for the single click (i.e., button down then up) to be interpreted as a double click, the single click should occur within a preset double click time and range. As mentioned in the BACKGROUND, this time and range have default settings but can also be updated by a user via a mouse control window as shown in FIG. 2.") column 3 lines 59-65).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to incorporate a system and method for activating double click applications with a single click comprising placing a window in the

background as taught by Brewer et al. with a system and method for managing interruptions to a network user wherein two users are communicating in a chat session comprising a messaging dialog window as taught by Muller et al., as modified by Kessen et al., for the purpose of single instance application.

Claims 8, 21 and 37 are rejected under 35 U.S.C. 103(a) as being obvious over Muller et al. (US 20050132011 A1) in view of Kessen et al. (US 20060026254 A1) and in further view of Asokan (US 20050220079 A1).

The applied reference has a common assignee with the instant application. Based upon the earlier effective U.S. filing date of the reference, it constitutes prior art only under 35 U.S.C. 102(e). This rejection under 35 U.S.C. 103(a) might be overcome by: (1) a showing under 37 CFR 1.132 that any invention disclosed but not claimed in the reference was derived from the inventor of this application and is thus not an invention " by another" ; (2) a showing of a date of invention for the claimed subject matter of the application which corresponds to subject matter disclosed but not claimed in the reference, prior to the effective U.S. filing date of the reference under 37 CFR 1.131; or (3) an oath or declaration under 37 CFR 1.130 stating that the application and reference are currently owned by the same party and that the inventor named in the application is the prior inventor under 35 U.S.C. 104, together with a terminal disclaimer in accordance with 37 CFR 1.321(c). This rejection might also be overcome by showing that the reference is disqualified under 35 U.S.C. 103(c) as prior art in a rejection under 35 U.S.C. 103(a). See MPEP § 706.02(l)(1) and § 706.02(l)(2).

Consider claims 8, 21, and 37, and as applied to claims 1, 16, and 34, respectively. Muller et al., as modified by Kessen et al., discloses a system and method for managing interruptions to a network user wherein two users are communicating in a

chat session comprising a messaging dialog window. However, Muller et al., as modified by Kessen et al., fails to disclose a messaging system comprising interrupts wherein other participants in a session are notified when someone else receives an interrupt request. Asokan discloses a system and method for suspending packet-switched sessions to a wireless terminal comprising a method wherein participants in a session are notified when a terminal has become unavailable (("In some embodiments of the present invention, the packet-switched session may be a push-to-talk session that has been initiated by a user of a GSM/GPRS wireless terminal and that was established by a push-to-talk server. In response to receiving a circuit-switched page, the wireless terminal via, for example, a push-to-talk application that is running on the terminal, notifies the push-to-talk server that the push-to-talk session is to be temporarily suspended. This notification may be forwarded, for example, as either a text message or an e-mail message that is transmitted over the SMS data bearer. The message may include, for example, an identifier associated with the cellular telephone (e.g., a push-to-talk client ID), identification of the reason the push-to-talk session is being suspended, the expected interval of the suspension, etc. If other participants in the push-to-talk session attempt to communicate with the wireless terminal over the push-to-talk session during the period when the wireless terminal has suspended the session, the push-to-talk server may notify those participants that the wireless terminal is temporarily unavailable. In other embodiments of the present invention, such notice may automatically be provided in response to the push-to-talk server receiving notification that a terminal has temporarily suspended participation in an on-going push-to-talk

session. The notification to other participants in the push-to-talk session, if provided, may be generated and forwarded by the wireless terminal and/or the push-to-talk server.") paragraph 0038).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to incorporate a system and method for suspending packet-switched sessions to a wireless terminal comprising a method wherein participants in a session are notified when a terminal has become unavailable as taught by Asokan with a system and method for managing interruptions to a network user wherein two users are communicating in a chat session comprising a messaging dialog window as taught by Muller et al., as modified by Kessen et al., for the purpose of event notification.

Claim 9 is rejected under 35 U.S.C. 103(a) as being obvious over Muller et al. (US 20050132011 A1) in view of Kessen et al. (US 20060026254 A1) and in further view of Balasuriya et al. (US 20050245240 A1).

The applied reference has a common assignee with the instant application. Based upon the earlier effective U.S. filing date of the reference, it constitutes prior art only under 35 U.S.C. 102(e). This rejection under 35 U.S.C. 103(a) might be overcome by: (1) a showing under 37 CFR 1.132 that any invention disclosed but not claimed in the reference was derived from the inventor of this application and is thus not an invention " by another" ; (2) a showing of a date of invention for the claimed subject matter of the application which corresponds to subject matter disclosed but not claimed in the reference, prior to the effective U.S. filing date of the reference under 37 CFR 1.131; or (3) an oath or declaration under 37 CFR 1.130 stating that the application and

reference are currently owned by the same party and that the inventor named in the application is the prior inventor under 35 U.S.C. 104, together with a terminal disclaimer in accordance with 37 CFR 1.321(c). This rejection might also be overcome by showing that the reference is disqualified under 35 U.S.C. 103(c) as prior art in a rejection under 35 U.S.C. 103(a). See MPEP § 706.02(l)(1) and § 706.02(l)(2).

Consider claim 9, and as applied to claim 1 above. Muller et al., as modified by Kessen et al., discloses a system and method for managing interruptions to a network user wherein two users are communicating in a chat session comprising a messaging dialog window. However, Muller et al., as modified by Kessen et al., fails to disclose a system or method for managing interruptions to a network user wherein an interrupted instant messaging system resumes upon completion of the interrupt. Balasuriya et al. discloses an apparatus and method for storing media during interruption of a media session wherein a session can resume when an interruption ends ((“The disclosure provides an apparatus for and method of storing subsequent streaming media in a memory associated with a wireless communication device in response to receiving a communication request. For example, the disclosure provides for selectively storing at least one media of a multicast or unicast session in a local memory of a wireless communication device when a media streaming session is interrupted by an event, such as an incoming call. A user of the wireless communication device can resume playing the session from the local memory when the interruption ends.”) paragraph 0013).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to incorporate an apparatus and method for storing

media during interruption of a media session wherein a session can resume when an interruption ends as taught by Balasuriya et al. with a system and method for managing interruptions to a network user wherein two users are communicating in a chat session comprising a messaging dialog window as taught by Muller et al., as modified by Kessen et al., for the purpose of seamless collaboration.

Claims 11-12, 27 and 39 are rejected under 35 U.S.C. 103(a) as being obvious over Muller et al. (US 20050132011 A1) in view of Kessen et al. (US 20060026254 A1) and in further view of Horvitz et al. (US 2005084082 A1).

The applied reference has a common assignee with the instant application. Based upon the earlier effective U.S. filing date of the reference, it constitutes prior art only under 35 U.S.C. 102(e). This rejection under 35 U.S.C. 103(a) might be overcome by: (1) a showing under 37 CFR 1.132 that any invention disclosed but not claimed in the reference was derived from the inventor of this application and is thus not an invention " by another" ; (2) a showing of a date of invention for the claimed subject matter of the application which corresponds to subject matter disclosed but not claimed in the reference, prior to the effective U.S. filing date of the reference under 37 CFR 1.131; or (3) an oath or declaration under 37 CFR 1.130 stating that the application and reference are currently owned by the same party and that the inventor named in the application is the prior inventor under 35 U.S.C. 104, together with a terminal disclaimer in accordance with 37 CFR 1.321(c). This rejection might also be overcome by showing that the reference is disqualified under 35 U.S.C. 103(c) as prior art in a rejection under 35 U.S.C. 103(a). See MPEP § 706.02(l)(1) and § 706.02(l)(2).

Consider claims 11-12, 27 and 39, and as applied to claims 1, 11 and 22, respectively. Muller et al., as modified by Kessen et al., discloses a system and method

for managing interruptions to a network user wherein two users are communicating in a chat session comprising a messaging dialog window. However, Muller et al., as modified by Kessen et al., fails to disclose a system or method for managing interruptions to a network user wherein interrupts can be selectively blocked or overridden. Horvitz et al. (US 2005084082 A1) discloses designs, interfaces, and policies for systems that enhance communication and minimize disruption by encoding preferences and situations wherein interruptability can be assigned and bypassed (read as overridden) (("Interruptability can be assigned to the various created groups. For example, after defining and activating a groups and assessing the priorities of callers, users can optionally assess their background or default interruptability (e.g., for a typical week). Default interruptability can represent the cost of taking phone calls at different times of day and days of the week in situations where there is no further statement about context, for example. Users can assert their background cost of interruption via a time-pattern palette as illustrated in FIG. 8. This palette allows users to sweep out regions of low, medium, and high cost of interruption over a seven-day period. Users can also indicate which periods of time should be set to block calls. At these times, only users assigned breakthrough privileges can get through to the user. Users typically are instructed that they can bypass this palette, thus assuming a background low cost of interruption for substantially all times.") paragraph 0077 ("It is to be appreciated that the respective interfaces described herein can be provided in various other settings and context. For example, the interfaces can be GUIs associated with various applications, including a mail application, a calendar application and/or a web browser, models (e.g.,

as discussed herein), and/or a desktop development tool. The GUIs can provide a display with one or more display objects, including aspects as configurable icons, buttons, sliders, input boxes, selection options, menus, tabs and so forth with multiple configurable dimensions, shapes, colors, text, data and sounds to facilitate operations with the applications and/or models. In addition, the GUIs can include a plurality of other inputs and/or controls for adjusting and/or configuring one or more aspects of the present invention, as described in more detail below. As an example, the GUIs can provide for receiving user commands from a mouse, keyboard, speech input, web site, remote web service, pattern recognizer, face recognizer, and/or other device such as a camera or video input to effect or modify operations of the GUI.") paragraph 0108).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to incorporate designs, interfaces, and policies for systems that enhance communication and minimize disruption by encoding preferences and situations wherein interruptability can be assigned and bypassed as taught by Horvitz et al. (US 2005084082 A1) with a system and method for managing interruptions to a network user wherein two users are communicating in a chat session comprising a messaging dialog window as taught by Muller et al., as modified by Kessen et al., for the purpose of interactive collaboration.

Claims 13-14 are rejected under 35 U.S.C. 103(a) as being obvious over Muller et al. (US 20050132011 A1) in view of Kessen et al. (US 20060026254 A1) and in further view of Savage et al. (US 20010009014 A1).

The applied reference has a common assignee with the instant application. Based upon the earlier effective U.S. filing date of the reference, it constitutes prior art only under 35 U.S.C. 102(e). This rejection under 35 U.S.C. 103(a) might be overcome by: (1) a showing under 37 CFR 1.132 that any invention disclosed but not claimed in the reference was derived from the inventor of this application and is thus not an invention " by another" ; (2) a showing of a date of invention for the claimed subject matter of the application which corresponds to subject matter disclosed but not claimed in the reference, prior to the effective U.S. filing date of the reference under 37 CFR 1.131; or (3) an oath or declaration under 37 CFR 1.130 stating that the application and reference are currently owned by the same party and that the inventor named in the application is the prior inventor under 35 U.S.C. 104, together with a terminal disclaimer in accordance with 37 CFR 1.321(c). This rejection might also be overcome by showing that the reference is disqualified under 35 U.S.C. 103(c) as prior art in a rejection under 35 U.S.C. 103(a). See MPEP § 706.02(l)(1) and § 706.02(l)(2).

Consider claims 13-14, and as applied to claims 1 and 13, respectively. Muller et al., as modified by Kessen et al., discloses a system and method for managing interruptions to a network user wherein two users are communicating in a chat session comprising a messaging dialog window. However, Muller et al., as modified by Kessen et al., fails to disclose a system or method for managing interruptions to network users wherein interrupt ranking is assigned to all users or ranking is performed by a predetermined order. Savage et al. discloses facilitating real-time, multi-point communications over the internet wherein a scheduler keeps track of and maintains the priority of each participant in each conference ((“According to a specific embodiment, the scheduler keeps track of and maintains the priority of each participant in each conference. That is, the scheduler maintains the priority field in each atom for each

participant. According to one embodiment, the priority field of a participant's atoms changes dynamically according to a fairness algorithm which monitors the amount of talking by a particular client. That is, the longer a client talks the lower its priority decays, while the less a client talks, the higher its priority remains. This gives high priority, for example to a client which interrupts another that has been talking for awhile. According to a more specific embodiment, hysteresis is also built into the system to allow a client to build its priority back.") paragraph 0102).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to incorporate facilitating real-time, multi-point communications over the internet wherein a scheduler keeps track of and maintains the priority of each participant in each conference as taught by Savage et al. with a system and method for managing interruptions to a network user wherein two users are communicating in a chat session comprising a messaging dialog window as taught by Muller et al., as modified by Kessen et al., for the purpose of availability rules.

Claim 15 is rejected under 35 U.S.C. 103(a) as being obvious over Muller et al. (US 20050132011 A1) in view of Kessen et al. (US 20060026254 A1) and in further view of Suorsa et al. (US 20020156831 A1).

The applied reference has a common assignee with the instant application. Based upon the earlier effective U.S. filing date of the reference, it constitutes prior art only under 35 U.S.C. 102(e). This rejection under 35 U.S.C. 103(a) might be overcome by: (1) a showing under 37 CFR 1.132 that any invention disclosed but not claimed in the reference was derived from the inventor of this application and is thus not an

invention " by another" ; (2) a showing of a date of invention for the claimed subject matter of the application which corresponds to subject matter disclosed but not claimed in the reference, prior to the effective U.S. filing date of the reference under 37 CFR 1.131; or (3) an oath or declaration under 37 CFR 1.130 stating that the application and reference are currently owned by the same party and that the inventor named in the application is the prior inventor under 35 U.S.C. 104, together with a terminal disclaimer in accordance with 37 CFR 1.321(c). This rejection might also be overcome by showing that the reference is disqualified under 35 U.S.C. 103(c) as prior art in a rejection under 35 U.S.C. 103(a). See MPEP § 706.02(l)(1) and § 706.02(l)(2).

Consider claim 15, and as applied to claim 1 above. Muller et al., as modified by Kessen et al., discloses a system and method for managing interruptions to a network user wherein two users are communicating in a chat session comprising a messaging dialog window. However, Muller et al., as modified by Kessen et al., fails to disclose a system or method for managing interruptions to network users wherein Lightweight Directory Access Protocol (LDAP)decides the priority of interrupt requests. Suorsa et al. discloses automated provisioning of computing networks using a network database data model wherein Lightweight Directory Access Protocol (LDAP) verifies the access level of an agent ((“Thus, the present invention provides a technique whereby the validity of a message or a command transmitted to an agent may be verified. This verification, in accordance with an embodiment of the present invention may be accomplished using a lightweight directory access protocol (LDAP). Additionally, in accordance with an embodiment of the present invention, the access level of the agent may be verified by

the system by way of a convenient communications protocol, such as LDAP or the like.") paragraph 0065).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to incorporate automated provisioning of computing networks using a network database data model wherein Lightweight Directory Access Protocol (LDAP) verifies the access level of an agent as taught by with a system and method for managing interruptions to a network user wherein two users are communicating in a chat session comprising a messaging dialog window as taught by Muller et al., as modified by Kessen et al., for the purpose of managing interrupts.

Conclusion

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Mark Fearer
M.D.F./mdf
September 26, 2007

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